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February 26, 2015

BY ECF

Hon. John G. Koeltl
United States District Judge
United States Courthouse
500 Pearl Street, Courtroom 12B
New York, NY 10007

RE: *Apple Mortgage Corp. v. Barenblatt, et al.*
(S.D.N.Y. Case No. 13-cv-9233)

Dear Judge Koeltl:

We represent Plaintiff Apple Mortgage Corp. ("Apple") in the referenced action, and I am writing with Defendants' consent to request a short extension of the current discovery and other deadlines, as reflected in the attached proposed Second Amended Civil Scheduling Order. The current deadlines are set forth in the first Amended Civil Scheduling Order, which was entered on November 17, 2014 (ECF Doc. 23).

The Court may recall that on February 10, 2015, a telephone conference was held with the attorneys for the parties herein, as well as Allan Bloom of Proskauer Rose, attorneys for non-party GuardHill Financial Corp. ("GuardHill"). The subject of that conference call was GuardHill's production of documents. During that conference, the parties reported that an agreement had been reached regarding the discovery in dispute, which obviated the need for further involvement by the Court or any motion practice. Though the undersigned had raised prior to and during that telephone conference a possible extension of the pending discovery deadline, the Court suggested that we wait and see how many documents were produced by GuardHill, and when, before seeking such an extension from the Court.

Late last week, GuardHill produced a disk containing almost 16,000 pages of electronic discovery. In light of the pending discovery deadline of March 13, 2015, it is not possible to review and meaningfully analyze this production with ample time to prepare for and take the four defendants' depositions prior to the cutoff. Accordingly, I requested Defendants' consent to a short extension, to which they agreed. The dates set forth in the attached proposed Second

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Amended Civil Scheduling Order were agreed to by the parties and, although the discovery cut-off is extended via this document by four weeks, to April 10, 2015, the trial ready date has only been pushed back by nine days, to May 15, 2015.

Pursuant to Your Honor's Individual Practice 1(E):

1. The original discovery deadline was October 31, 2014, and the current deadline is March 13, 2015.
2. There was one previous joint request for an extension of the deadline, which was granted and resulted in the Amended Civil Scheduling Order entered on November 17, 2014.
3. Defendants consent to Apple's request.

Respectfully submitted,



Jonathan Rogin

Encl.

cc: Richard C. Schoenstein, Esq. (by e-mail and ECF, w/encl.)

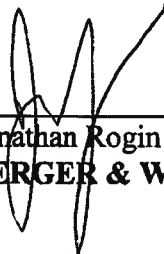
submit requests to charge and voir dire requests. In non-jury cases, parties shall also submit proposed findings of fact and conclusions of law. The pretrial order shall conform to the Court's Form Joint Pretrial Order, a copy of which may be obtained from the Deputy Clerk.

Trial: The parties shall be ready for trial on 48 hours' notice on or after **May 15, 2015**.

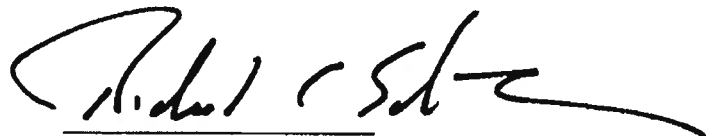
The estimated trial time is **5 days**, and this is a **jury** trial.

The provisions of the footnote on the first page of the Civil Scheduling Order remain applicable and in effect.

Dated: February 26, 2015


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and Kevin Ungar*

SO ORDERED:

John G. Koeltl
United States District Judge